

ORDER NO. 2019-02-001

**ORDER OF THE BOARD OF DIRECTORS
OF AGUA SPECIAL UTILITY DISTRICT**

AN ORDER AMENDING THE RULES OF THE AGUA SPECIAL UTILITY DISTRICT TO AMEND SECTION 9-9 RELATING TO MONTHLY CHARGES AND SEWER USAGE RATES; ACCEPTING THE RECOMMENDATIONS OF THE 2018 WATER AND WASTEWATER RATE STUDY PREPARED BY CAPEX CONSULTING GROUP AND APPROVING A FIVE YEAR SERIES OF WATER AND WASTEWATER UTILITY SERVICE RATES TO BE EFFECTIVE APRIL 1, 2019 AND EACH JANUARY 1ST FOR EACH YEAR THEREAFTER UNTIL JANUARY 1ST 2023; FINDING THAT THE MEETING AT WHICH THIS ORDER IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR SAVINGS CLAUSE, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING

WHEREAS, Texas Water Code Section 7201.102 requires that the Agua Special Utility District ("District") to at all times operate and construct the necessary improvements within its certificated areas to provide uninterrupted, continuous, and adequate service to existing and future customers of the District; and

WHEREAS, the District may adopt and enforce reasonable rules to preserve the purity and the sanitary condition of all water controlled by the District; prevent waste or the unauthorized use of water controlled by the District; regulate privileges on any land or easement owned or controlled by the District; and provide and regulate a safe and adequate freshwater distribution system; and

WHEREAS, the District may adopt and enforce reasonable rules to preserve and protect its sanitary sewer system; and

WHEREAS, the District finds it is necessary to amend the Agua SUD Rules Section 9-9 Monthly Charges, a, b, c, and d related to monthly water and sewer charges and the method of calculating sewer bills; and

WHEREAS, the District finds it necessary to adopt rules, rates, fees, and fines in order to accomplish the purposes for which it was created; and

WHEREAS, the District finds that is it necessary to adopt rules in order to protect the public health and safety, and to protect the District's facilities and water supply and sewer systems.

WHEREAS, the District engaged the firm of Capex Consulting Group to prepare a report that identifies the adjustments to the water and wastewater utility service rates deemed necessary by the District to generate revenue for funding or recouping the costs of (a) managing and operating the District's (i) water supply, treatment and distribution system; and (ii) wastewater collection

and treatment system; and (b) constructing the necessary water and wastewater capital improvements projects; and

WHEREAS, the Report of Proposed Adjusted Water and Wastewater Utility Service Rates is attached as Exhibit "A" and made a part of this Order; and

NOW, THEREFORE, BE IT ORDAINED BY THE DISTRICT BOARD OF THE AGUA SPECIAL UTILITY DISTRICT, TEXAS, THAT:

SECTION 1. PREAMBLE. All of the above premises are hereby found to be true and correct legislative and factual findings of the Agua Special Utility District and are hereby approved and incorporated into the body of this order as if copied in their entirety.

SECTION 2. AMENDMENT TO ARTICLES 9-9(a) AND 9-9(B) OF THE RULES OF AGUA SPECIAL UTILITY DISTRICT. That section 9-9 (a) and (b) of the Rules of Agua Special Utility District is hereby amended to read as follows:

a. The following are the minimum monthly charges, volumetric rates, and corresponding effective dates for water service per connection for each District customer class:

AGUA SUD PROPOSED WATER RATE STRUCTURE						
Effective:						
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Residential						
<u>Min. Charge - 0 Gallons</u>						
5/8" & 3/4" Meter	\$16.53	\$16.77	\$17.02	\$17.26	\$17.51	\$17.75
1" Meter	\$47.84	\$48.47	\$49.10	\$49.74	\$50.37	\$51.00
1 1/2" Meter	\$55.50	\$56.10	\$56.70	\$57.30	\$57.90	\$58.50
<u>Consumption Charge - K Gal</u>						
0 1,000	\$2.15	\$2.15	\$2.24	\$2.33	\$2.41	\$2.50
1,001 3,000	\$2.15	\$2.15	\$2.24	\$2.33	\$2.41	\$2.50
3,001 5,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75
5,001 6,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75
6,001 8,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75
8,001 10,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75
10,001 12,000	\$2.89	\$2.90	\$3.01	\$3.13	\$3.24	\$3.36
12,001 15,000	\$2.89	\$2.90	\$3.01	\$3.13	\$3.24	\$3.36
15,001 20,000	\$2.89	\$2.90	\$3.01	\$3.13	\$3.24	\$3.36
20,001 25,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68
25,001 30,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68
30,001 40,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68
40,001 50,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68
50,001 Greater	\$4.55	\$4.55	\$4.65	\$4.74	\$4.82	\$4.91

Meters larger than 1 1/2 inches will be classified as nonresidential and will be assessed the corresponding nonresidential water rate structure.

AGUA SUD**PROPOSED WATER RATE STRUCTURE**

		Effective:	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Commercial								
<u>Min. Charge - 0 Gallons</u>								
5/8" & 3/4" Meter								
1"	Meter N3	\$32.56	\$32.95	\$33.34	\$33.72	\$34.11	\$34.50	
1 1/2" Meter N15		\$47.84	\$48.57	\$49.30	\$50.04	\$50.77	\$51.50	
2" Meter N4		\$55.50	\$56.50	\$57.50	\$58.50	\$59.50	\$60.50	
4" Meter N5		\$63.12	\$65.70	\$68.27	\$70.85	\$73.42	\$76.00	
6" Meter N6		\$78.40	\$102.32	\$126.24	\$150.16	\$174.08	\$198.00	
8" Meter		\$93.68	\$152.54	\$211.41	\$270.27	\$329.14	\$388.00	
		\$124.24	\$240.19	\$356.14	\$472.10	\$588.05	\$704.00	
<u>Consumption Charge - K Gal</u>								
0	1,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62	
1,001	3,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62	
3,001	5,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62	
5,001	6,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62	
6,001	8,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62	
8,001	10,000	\$4.00	\$4.01	\$4.17	\$4.34	\$4.49	\$4.65	
10,001	12,000	\$4.00	\$4.01	\$4.17	\$4.34	\$4.49	\$4.65	
12,001	15,000	\$4.75	\$4.75	\$4.85	\$4.95	\$5.04	\$5.13	
15,001	20,000	\$4.75	\$4.75	\$4.85	\$4.95	\$5.04	\$5.13	
20,001	Greater	\$5.50	\$5.50	\$5.56	\$5.61	\$5.66	\$5.71	

AGUA SUD PROPOSED WATER RATE STRUCTURE						
	Effective:					
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Agricultural						
<u>Min. Charge - 0 Gallons</u>						
5/8" & 3/4" Meter	\$32.56	\$32.95	\$33.34	\$33.72	\$34.11	\$34.50
1" Meter	\$47.84	\$48.57	\$49.30	\$50.04	\$50.77	\$51.50
1 1/2" Meter	\$55.50	\$56.50	\$57.50	\$58.50	\$59.50	\$60.50
2" Meter N4	\$63.12	\$65.70	\$68.27	\$70.85	\$73.42	\$76.00
4" Meter	\$78.40	\$102.32	\$126.24	\$150.16	\$174.08	\$198.00
6" Meter N6	\$93.68	\$152.54	\$211.41	\$270.27	\$329.14	\$388.00
8" Meter	\$124.24	\$240.19	\$356.14	\$472.10	\$588.05	\$704.00
<u>Consumption Charge - K Gal</u>						
0 1,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
1,001 3,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
3,001 5,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
5,001 6,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
6,001 8,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
8,001 10,000	\$4.00	\$4.01	\$4.17	\$4.34	\$4.49	\$4.65
10,001 12,000	\$4.00	\$4.01	\$4.17	\$4.34	\$4.49	\$4.65
12,001 15,000	\$4.75	\$4.75	\$4.85	\$4.95	\$5.04	\$5.13
15,001 20,000	\$4.75	\$4.75	\$4.85	\$4.95	\$5.04	\$5.13
20,001 Greater	\$5.50	\$5.50	\$5.56	\$5.61	\$5.66	\$5.71

AGUA SUD PROPOSED WATER RATE STRUCTURE						
	Effective:					
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Apartment						
<u>Min. Charge - 0 Gallons</u>						
5/8" Meter	\$32.56	\$32.95	\$33.34	\$33.72	\$34.11	\$34.50
1" Meter N3	\$47.84	\$48.57	\$49.30	\$50.04	\$50.77	\$51.50
1 1/2" Meter N15	\$55.50	\$56.50	\$57.50	\$58.50	\$59.50	\$60.50
2" Meter N4	\$63.12	\$65.70	\$68.27	\$70.85	\$73.42	\$76.00
4" Meter	\$78.40	\$102.32	\$126.24	\$150.16	\$174.08	\$198.00
6" Meter N6	\$93.68	\$152.54	\$211.41	\$270.27	\$329.14	\$388.00
8" Meter	\$124.24	\$240.19	\$356.14	\$472.10	\$588.05	\$704.00
<u>Consumption Charge - K Gal</u>						
0 1,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
1,001 3,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
3,001 5,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
5,001 6,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
6,001 8,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
8,001 10,000	\$4.00	\$4.01	\$4.17	\$4.34	\$4.49	\$4.65
10,001 12,000	\$4.00	\$4.01	\$4.17	\$4.34	\$4.49	\$4.65
12,001 15,000	\$4.75	\$4.75	\$4.85	\$4.95	\$5.04	\$5.13
15,001 20,000	\$4.75	\$4.75	\$4.85	\$4.95	\$5.04	\$5.13
20,001 Greater	\$5.50	\$5.50	\$5.56	\$5.61	\$5.66	\$5.71

AGUA SUD**PROPOSED WATER RATE STRUCTURE**

		Effective:	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
RV & Trailer Park								
<u>Min. Charge - 0 Gallons</u>								
5/8" & 3/4" Meter		\$32.56	\$32.95	\$33.34	\$33.72	\$34.11	\$34.50	
1" Meter T1		\$47.84	\$48.57	\$49.30	\$50.04	\$50.77	\$51.50	
1 1/2" Meter		\$55.50	\$56.50	\$57.50	\$58.50	\$59.50	\$60.50	
2" Meter T2		\$63.12	\$65.70	\$68.27	\$70.85	\$73.42	\$76.00	
4" Meter		\$78.40	\$102.32	\$126.24	\$150.16	\$174.08	\$198.00	
6" Meter T6		\$93.68	\$152.54	\$211.41	\$270.27	\$329.14	\$388.00	
8" Meter		\$124.24	\$240.19	\$356.14	\$472.10	\$588.05	\$704.00	
<u>Consumption Charge - K Gal</u>								
0	1,000	\$2.15	\$2.15	\$2.24	\$2.33	\$2.41	\$2.50	
1,001	3,000	\$2.15	\$2.15	\$2.24	\$2.33	\$2.41	\$2.50	
3,001	5,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75	
5,001	6,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75	
6,001	8,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75	
8,001	10,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75	
10,001	12,000	\$2.89	\$2.90	\$3.01	\$3.13	\$3.24	\$3.36	
12,001	15,000	\$2.89	\$2.90	\$3.01	\$3.13	\$3.24	\$3.36	
15,001	20,000	\$2.89	\$2.90	\$3.01	\$3.13	\$3.24	\$3.36	
20,001	25,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68	
25,001	30,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68	
30,001	40,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68	
40,001	50,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68	
50,001	Greater	\$4.55	\$4.55	\$4.65	\$4.74	\$4.82	\$4.91	

AGUA SUD PROPOSED WATER RATE STRUCTURE						
	Effective:					
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
School						
<u>Min. Charge - 0 Gallons</u>						
5/8" & 3/4" Meter	\$57.09	\$52.57	\$48.05	\$43.54	\$39.02	\$34.50
1" Meter N3	\$57.09	\$55.97	\$54.85	\$53.74	\$52.62	\$51.50
1 1/2" Meter N15	\$57.09	\$57.77	\$58.45	\$59.14	\$59.82	\$60.50
2" Meter N4	\$57.09	\$60.87	\$64.65	\$68.44	\$72.22	\$76.00
4" Meter N5	\$57.09	\$85.27	\$113.45	\$141.64	\$169.82	\$198.00
6" Meter N6	\$57.09	\$123.27	\$189.45	\$255.64	\$321.82	\$388.00
8" Meter	\$57.09	\$186.47	\$315.85	\$445.24	\$574.62	\$704.00
<u>Consumption Charge - K Gal</u>						
0 1,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
1,001 3,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
3,001 5,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
5,001 6,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
6,001 8,000	\$3.11	\$3.12	\$3.24	\$3.37	\$3.49	\$3.62
8,001 10,000	\$4.00	\$4.01	\$4.17	\$4.34	\$4.49	\$4.65
10,001 12,000	\$4.00	\$4.01	\$4.17	\$4.34	\$4.49	\$4.65
12,001 15,000	\$4.75	\$4.75	\$4.85	\$4.95	\$5.04	\$5.13
15,001 20,000	\$4.75	\$4.75	\$4.85	\$4.95	\$5.04	\$5.13
20,001 Greater	\$5.50	\$5.50	\$5.56	\$5.61	\$5.66	\$5.71

AGUA SUD PROPOSED WATER RATE STRUCTURE						
	Effective:					
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Lifeline						
<u>Min. Charge - 0 Gallons</u>						
5/8" & 3/4" Meter LL1	\$13.75	\$14.02	\$14.29	\$14.55	\$14.82	\$15.09
<u>Consumption Charge - K Gal</u>						
0 1,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1,001 3,000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3,001 5,000	\$2.15	\$2.15	\$2.46	\$2.56	\$2.65	\$2.75
5,001 6,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75
6,001 8,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75
8,001 10,000	\$2.36	\$2.36	\$2.46	\$2.56	\$2.65	\$2.75
10,001 12,000	\$2.89	\$2.89	\$3.01	\$3.13	\$3.24	\$3.36
12,001 15,000	\$2.89	\$2.89	\$3.01	\$3.13	\$3.24	\$3.36
15,001 20,000	\$2.89	\$2.89	\$3.01	\$3.13	\$3.24	\$3.36
20,001 25,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68
25,001 30,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68
30,001 40,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68
40,001 50,000	\$3.41	\$3.41	\$3.48	\$3.55	\$3.62	\$3.68
50,001 Greater	\$4.55	\$4.55	\$4.65	\$4.74	\$4.82	\$4.91

Meters larger than $\frac{3}{4}$ inches will be classified as residential and will be assessed the corresponding residential water rate structure.

For any meter larger than 8 inches, the base rate will be that which is provided in the Non-Standard Service Agreement.

Meters larger than $1\frac{1}{2}$ inches will be classified as nonresidential and will be assessed the corresponding nonresidential water rate structure.

SECTION 3. AMENDMENT TO ARTICLE 9-9(c) OF THE RULES OF AGUA SPECIAL UTILITY DISTRICT. That section 9-9 (c) of the Rules of Agua Special Utility District is hereby amended to read as follows:

c. The following are the minimum monthly charges and volumetric rates for water service per connection for each class of residential and commercial customers:

AGUA SUD PROPOSED WASTEWATER RATE STRUCTURE						
Effective:						
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Residential						
<u>Min. Charge - 0 Gallons</u>						
All	\$8.19	\$8.87	\$9.55	\$10.24	\$10.92	\$11.60
<u>Consumption Charge - K Gal</u>						
0 Greater	\$2.53	\$2.54	\$2.64	\$2.74	\$2.84	\$2.94
Palmview						
<u>Min. Charge - 0 Gallons</u>						
All	\$8.19	\$9.34	\$10.48	\$11.63	\$12.77	\$13.92
<u>Consumption Charge - K Gal</u>						
0 Greater	\$2.53	\$2.54	\$2.64	\$2.74	\$2.84	\$2.94

AGUA SUD PROPOSED WASTEWATER RATE STRUCTURE						
Effective:						
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Commercial						
<u>Min. Charge - 0 Gallons</u>						
5/8" Meter AC1	\$13.65	\$14.49	\$15.33	\$16.17	\$17.01	\$17.85
1" Meter AC3	\$19.11	\$20.89	\$22.67	\$24.44	\$26.22	\$28.00
1 1/2" Meter AC4	\$21.84	\$24.07	\$26.30	\$28.54	\$30.77	\$33.00
2" Meter AC5	\$24.57	\$27.86	\$31.14	\$34.43	\$37.71	\$41.00
4" Meter N5	\$30.04	\$40.03	\$50.02	\$60.02	\$70.01	\$80.00
6" Meter N6	\$35.50	\$50.80	\$66.10	\$81.40	\$96.70	\$112.00
8" Meter	\$40.96	\$68.77	\$96.58	\$124.38	\$152.19	\$180.00
<u>Consumption Charge - K Gal</u>						
0 1,000	\$2.73	\$2.74	\$2.86	\$2.99	\$3.11	\$3.24
1,001 Greater	\$2.73	\$2.74	\$2.86	\$2.99	\$3.11	\$3.24

AGUA SUD PROPOSED WASTEWATER RATE STRUCTURE						
	Effective:					
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Sewer Flat Rate						
Min. Charge - 0 Gallons						
All	\$8.19	\$11.55	\$14.91	\$18.28	\$21.64	\$25.00

AGUA SUD PROPOSED WASTEWATER RATE STRUCTURE						
	Effective:					
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Apartment						
Min. Charge - 0 Gallons						
5/8" Meter AR1	\$8.19	\$10.12	\$12.05	\$13.99	\$15.92	\$17.85
3/4" Meter AC1	\$13.65	\$14.42	\$15.19	\$15.96	\$16.73	\$17.50
1" Meter N3	\$19.11	\$14.42	\$15.19	\$24.44	\$26.22	\$28.00
1 1/2" Meter N15	\$21.84	\$14.42	\$15.19	\$28.54	\$30.77	\$33.00
2" Meter N4	\$24.57	\$14.42	\$31.14	\$34.43	\$37.71	\$41.00
4" Meter	\$30.04	\$40.03	\$50.02	\$60.02	\$70.01	\$80.00
6" Meter N6	\$35.50	\$50.80	\$66.10	\$81.40	\$96.70	\$112.00
8" Meter	\$40.96	\$68.77	\$96.58	\$124.38	\$152.19	\$180.00
Consumption Charge - K Gal						
0 1,000	\$2.73	\$2.74	\$2.86	\$2.99	\$3.11	\$3.24
1,001 Greater	\$2.73	\$2.74	\$2.86	\$2.99	\$3.11	\$3.24

AGUA SUD PROPOSED WASTEWATER RATE STRUCTURE						
	Effective:					
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
School						
Min. Charge - 0 Gallons						
5/8" & 3/4" Meter	\$14.55	\$15.21	\$15.87	\$16.53	\$17.19	\$17.85
1" Meter	\$19.11	\$20.89	\$22.67	\$24.44	\$26.22	\$28.00
1 1/2" Meter N15	\$21.84	\$24.07	\$26.30	\$28.54	\$30.77	\$33.00
2" Meter AC5	\$24.57	\$27.86	\$31.14	\$34.43	\$37.71	\$41.00
4" Meter PC4	\$675.00	\$556.00	\$437.00	\$318.00	\$199.00	\$80.00
6" Meter N6	\$0.00	\$22.40	\$44.80	\$67.20	\$89.60	\$112.00
8" Meter	\$0.00	\$36.00	\$72.00	\$108.00	\$144.00	\$180.00
Consumption Charge - K Gal						
0 1,000	\$2.73	\$2.74	\$2.86	\$2.99	\$3.11	\$3.24
1,001 Greater	\$2.73	\$2.74	\$2.86	\$2.99	\$3.11	\$3.24

AGUA SUD PROPOSED WASTEWATER RATE STRUCTURE						
	Effective:					
	Current	2/1/2019	1/1/2020	1/1/2021	1/1/2022	1/1/2023
Lifeline						
<u>Min. Charge - 0 Gallons</u>						
All	\$8.19	\$8.47	\$9.25	\$10.04	\$10.82	\$11.60
<u>Consumption Charge - K Gal</u>						
0 Greater	\$2.53	\$2.54	\$2.64	\$2.74	\$2.84	\$2.94

SECTION 4. AMENDMENT TO ARTICLE 9-9(d) OF THE RULES OF AGUA SPECIAL UTILITY DISTRICT. That section 9-9 (d) of the Rules of Agua Special Utility District is hereby amended to read as follows:

(1) Sewer service for residential customers shall be billed on the effective dates and at the volumetric rates per thousand gallons of monthly metered water consumption for each residential customer class as provided in Section 9-9 c based on the average monthly water usage of the most recent December, January, and February. The average monthly water usage of the most recent December, January, and February consumption will be calculated every twelve months. For new customers, for which there is no annual water usage information, the customer shall be billed based on actual water usage per month, or 10,000 gallons of water usage per month, whichever is less.

(2) Sewer service for residential customers qualifying for the lifeline shall be billed on the effective dates and at the volumetric rates per thousand gallons of monthly metered water consumption for the lifeline customer class as provided in Section 9-9 c based on the average monthly water usage of the most recent December, January, and February. The average monthly water usage of the most recent December, January, and February consumption will be calculated every twelve months. For new customers, for which there is no annual water usage information, the customer shall be billed based on actual water usage per month, or 10,000 gallons of water usage per month, whichever is less.

(3) Sewer service for all non-residential customers shall be billed on the effective dates and at the volumetric rates per thousand gallons of monthly metered water consumption for each corresponding customer class as provided in Section 9-9 c based on the actual monthly water usage for the corresponding billing month.

SECTION 5. DISTRICT ACCEPTANCE AND APPROVAL OF 2018 CAPEX CONSULTNG GROUP RATE STUDY. That the Report of Proposed Adjusted Water and Wastewater Utility Service Rates presented to the District Board of Directors and attached as Exhibit "B" is hereby accepted and approved.

SECTION 6. PROVIDING FOR A SAVINGS CLAUSE. The repeal of any order or part of order effectuated by the enactment of this order shall not be construed as abandoning any action now pending under or by virtue of such order or as discontinuing, abating, modifying or

altering any penalty accruing or to accrue, or as affecting any rights of the District under any section or provisions of any orders at the time of passage of this order.

SECTION 7. REPEALER CLAUSE. The provisions of this order shall be cumulative of all other orders or parts of orders governing or regulating the same subject matter as that covered herein, provided, however, that all prior orders or parts of orders inconsistent or in conflict with any of the provisions of this order are hereby expressly repealed to the extent that such inconsistency is apparent. This order shall not be construed to require or allow any act that is prohibited by any other order.

SECTION 8. NOTICE AND MEETING CLAUSE. It is hereby officially found and determined that the meeting at which this order was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 9. EFFECTIVE DATE. This ORDER becomes effective immediately after being passed and approved after the third and final reading.

READ, PASSED, AND APPROVED ON FIRST READING this _____day of _____, 2019.

Rogelio Hernandez III
Board President

ATTEST:

Esequiel Ortiz, Jr.
Board Secretary

AYES: [list names or state none]

NAYS: [list names or state none]

ABSENT: [list names or state none]

APPROVED AS TO FORM AND LEGALITY:

Frank Garza
District Attorney

READ, PASSED, AND APPROVED ON SECOND READING this _____ day of _____, 2019.

Rogelio Hernandez III
Board President

ATTEST:

Esequiel Ortiz, Jr.
Board Secretary

AYES: [list names or state none]

NAYS: [list names or state none]

ABSENT: [list names or state none]

APPROVED AS TO FORM AND LEGALITY:

Frank Garza
District Attorney

READ, PASSED, AND APPROVED ON THIRD AND FINAL READING this _____ day of
_____, 2019.

Rogelio Hernandez III
Board President

ATTEST:

Esequiel Ortiz, Jr.
Board Secretary

AYES: [list names or state none]

NAYS: [list names or state none]

ABSENT: [list names or state none]

APPROVED AS TO FORM AND LEGALITY:

Frank Garza
District Attorney